

IN THE CIRCUIT COURT OF LEE COUNTY, ALABAMA

ROBIN JAFFE,

Plaintiff,

v.

VINCENT OLIVIERI

Defendant.

RECEIVED

2007 FEB 23 P 1:27

CASE NO.: CV-2006-664

NOTICE OF FILING NOTICE OF REMOVAL

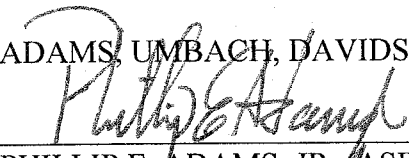
TO: Lee County Circuit Clerk
2311 Gateway Drive
Opelika, Alabama 36801

David Dawson, Esq.
Whittelsey, Whittelsey & Poole, P.C.
600 Avenue A
Opelika, Alabama 36801

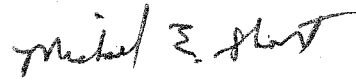
You are hereby notified that on this date Vincent Olivieri, Defendant in the above-styled cause of action, filed his Notice of Removal, copies of which are attached, in the United States District Court for the Middle District of Alabama, Eastern Division, at Montgomery, Alabama.

Dated this the 21st day of February, 2007.

ADAMS, UMBACH, DAVIDSON & WHITE, LLP


PHILLIP E. ADAMS, JR. (ASB-9946-D56P)

One of the Attorneys for Vincent Olivieri



MICHAEL E. SHORT (ASB-5457-M76S)
One of the Attorneys for Vincent Olivieri

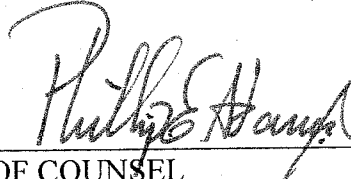
OF COUNSEL:
ADAMS, UMBACH, DAVIDSON
& WHITE, LLP
Post Office Box 2069
Opelika, Alabama 36803-2069
(334) 745-6466

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing document upon:

David Dawson, Esq.
600 Avenue A
Opelika, Alabama 36801

by placing a copy of the same in the United States mail, properly addressed and postage prepaid this
the 23rd day of February, 2007.



OF COUNSEL

**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

ROBIN JAFFE,

Plaintiff,

v.

VINCENT OLIVIERI

Defendant.

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CASE NO.: _____

NOTICE OF REMOVAL

The Defendant, Vincent Olivieri, removes this case to the United States District Court for the Middle District of Alabama, Eastern Division, and as grounds therefore respectfully shows unto the Court the following:

1. Plaintiff, Robin Jaffe, is a citizen of the State of Alabama.
2. Defendant, Vincent Olivieri, is a citizen of the State of Connecticut.
3. Jurisdiction is based upon diversity of citizenship, pursuant to 28 U.S.C. § 1332 (a) and 28 U.S.C. § 1441 (a).
4. Plaintiff has filed a lawsuit against Defendant in the Circuit Court of Lee County, Alabama. A copy of the Complaint is attached hereto as Exhibit "A," and being made a part hereof.
5. Plaintiff's Complaint makes a claim for libel. Plaintiff seeks damages of an unspecified amount.
6. There are no other defendants to this action besides this Defendant, and this Defendant is removing this case within the applicable time period, pursuant to the


aforesaid statutes.

7. Upon the filing of this notice of removal, Defendant has given written notice thereof to the attorneys for the Plaintiff and has filed a copy of the proceedings and notice with the Circuit Court Clerk of Lee County, Alabama, all in accordance with the law.

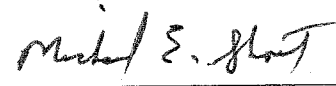
WHEREFORE, Defendant Vincent Olivieri prays that the removal of said cause to the United States District Court for the Middle District of Alabama, Eastern Division, be effected and no further or other proceedings may be had with respect to this matter in the Circuit Court of Lee County, Alabama, pending a final decision and determination of this controversy in the United States District Court.

Dated this the 21st day of February, 2007.

ADAMS, UMBACH, DAVIDSON & WHITE, LLP



PHILLIP E. ADAMS, JR. (ASB-9946-D56P)
One of the Attorneys for Vincent Olivieri



MICHAEL E. SHORT (ASB-5457-M76S)
One of the Attorneys for Vincent Olivieri

OF COUNSEL:
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I hereby certify that I have served a copy of the foregoing document upon:

David Dawson, Esq.
600 Avenue A
Opelika, Alabama 36801

by placing a copy of the same in the United States mail, properly addressed and postage prepaid this
the 22nd day of February, 2007.

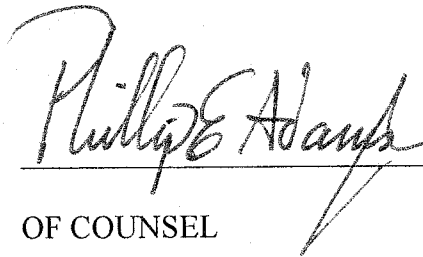

OF COUNSEL

EXHIBIT A

IN THE CIRCUIT COURT FOR LEE COUNTY, ALABAMA

Robin Jaffe
Resident of Lee County

Plaintiff,
V.

Vincent Olivieri
Defendant.

* CASE NO.: CV-2006 664

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FILED
SEP 27 2006

IN OFFICE
CORINNE T. HURST
CIRCUIT CLERK

COMPLAINT

COUNT I
(Libel)

1. The Plaintiff in this Court is Robin Jaffe, a resident of Lee County, Alabama.
2. The Defendant in this Court is Vincent Olivieri is a resident of Connecticut.
3. Plaintiff is employed by Auburn University in the Department of Theater.
4. On or about October 22nd, 2005 Defendant intentionally distributed a letter libelous in nature concerning Robin Jaffe within an around Auburn University located in Lee County Alabama.
5. As the proximate result of said intentional, willful, wanton and libel acts and conduct of said

Defendant, the Plaintiff suffered and sustained injuries and damages.

JURY DEMAND

Plaintiff demands Trial by struck jury on all counts.

Dawson & Associates



David Dawson
Attorney for the Plaintiffs
Post Office Box 2517
Auburn, AL 36831

PLAINTIFF DEMAND TRIAL BY STRUCK JURY.



David Dawson

To be served on the following:

Vincent Oliveri
107 Nicholl St. #2
New Haven CT 06511